

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE *Bench Filed on 11/25/02*

In re:)	Chapter 11
)	
W.R. Grace & Co., <u>et al.</u> ,)	Case No. 01-01139 (JKF)
)	(Jointly Administered)
)	
Debtors.)	Related to Dkt. #2193, 2375
)	Related to July 22, 2002, Agenda No. 13

AMENDED ORDER

AND NOW, this 25 of November, 2002,

WHEREAS this Court held several hearings, including one on July 22, 2002, on the above captioned Agenda No. 13 and entered a scheduling order which modified the order Debtors' counsel presented in the hearing binder;

WHEREAS a modified scheduling order entered at the July 22, 2002, hearing on Agenda No. 13 was not docketed and cannot be located by the Court or the parties;

WHEREAS the Court has reviewed the transcripts concerning Agenda No.13, and the proposed orders submitted by various parties;


NOW, THEREFORE, IT IS ORDERED that the scope of discovery will be limited to what science demonstrates with regard to whether ZAI creates an unreasonable risk of harm. Any discovery disputes shall be handled in accordance with the Federal Rules of Bankruptcy Procedure, the Local Rules for the Bankruptcy Court for the District of Delaware, the procedures of this Court and any orders entered by this Court.

It is **FURTHER ORDERED** that the discovery schedule is as follows:

- (1) Fact discovery ends February 28, 2003;
- (2) ZAI claimants' expert reports are due March 21, 2003;

- (3) Debtors' expert reports are due April 11, 2003;
- (4) Depositions of ZAI claimants' experts are to be conducted from April 14, 2003 to May 9, 2003;
- (5) Depositions of Debtors' experts are to be conducted from May 12, 2003 to June 6, 2003;
- (6) Debtors shall file and ZAI claimants may file a Rule 42 consolidation motion together with related Daubert/summary judgment motions by July 7, 2003;
- (7) Responses are due August 8, 2003;
- (8) Replies are due August 18, 2003. Replies are limited to 10 pages;
- (9) Argument will be in Pittsburgh, Pennsylvania, Courtroom A, 5490 US Steel Tower, 600 Grant Street, ^{on Sept. 16 & 17} ~~at a date to be set by the Court on or after September 8,~~ 2003, at 9:00 a.m. at which time the Court will address further pretrial matters.

IT IS FURTHER ORDERED that consideration of matters relating to class certification is postponed until further Order.



Judith K. Fitzgerald
United States Bankruptcy Judge